



Senate Committee On
RULES AND CALENDAR

Tom Lee, Chair
J. Alex Villalobos, Vice Chair

Meeting Packet

Tuesday, February **17**, 2004

11:15 a.m. – 12:30 p.m.

37 Senate

***(Please bring this packet to the committee meeting.
Duplicate materials will not be available.)***

E X P A N D E D A G E N D A

COMMITTEE ON RULES AND CALENDAR

Senator Tom Lee, CHAIR
Senator Villalobos, VICE-CHAIR

DATE: Tuesday, February 17, 2004

TIME: 11:15 a.m. -- 12:30 p.m.

PLACE: Room 37 (LL), Senate Office Building

(MEMBERS: Senators Campbell, Carlton, Clary, Cowin, Diaz de la Portilla, Geller, Jones, Klein, Margolis, Miller and Pruitt)

TAB	BILL NO. AND INTRODUCER	BILL DESCRIPTION AND SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1532 Lee	Official Florida Statutes; adopts Florida Statutes 2004 & designates portions thereof that are to constitute official law of state; provides that Florida Statutes 2004 shall be effective immediately upon publication; provides that general laws enacted during August 12-13, 2003, Special Session & prior thereto & not included in Florida Statutes 2004 are repealed, etc. Amends 11.2421, .2422, .2424, .2425.	
		RC 02/17/04	
2	SB 1534 Lee	Florida Statutes; deletes provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replaces incorrect cross-references & citations; corrects grammatical, typographical, & like errors; removes inconsistencies, redundancies, & unnecessary repetition in statutes; improves clarity of statutes & facilitates their correct interpretation, etc. Amends FS.	
		RC 02/17/04	
3	SB 1536 Lee	Florida Statutes; repeals specified provisions, all of which provisions have become inoperative by noncurrent repeal or expiration &, pursuant to s. 11.242(5)(b) & (i), may be omitted from Florida Statutes 2004 only through reviser's bill duly enacted by Legislature; repeals specified provision to confirm October 2, 2003, repeal of exemption in accordance with Open Government Sunset Review Act of 1995. Repeals FS.	
		RC 02/17/04	

E X P A N D E D A G E N D A

COMMITTEE ON RULES AND CALENDAR

DATE: Tuesday, February 17, 2004

TIME: 11:15 a.m. -- 12:30 p.m.

TAB	BILL NO. AND INTRODUCER	BILL DESCRIPTION AND SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1538 Lee	Florida Statutes; amends specified provisions to conform to directive in s. 1, ch. 93-199, Laws of Florida, to remove gender-specific references applicable to human beings from Florida Statutes without substantive change in legal effect. Amends 627.6515, 766.1015.	
		RC 02/17/04	

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)


BILL: SB 1532

SPONSOR: Senator Lee

SUBJECT: Adoption of the Florida Statutes

DATE: February 11, 2004

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Pollitz (Stat. Rev.)	Kassack 	RC	
2.				
3.				
4.				
5.				
6.				

I. Summary:

This bill is drafted by the Division of Statutory Revision of the Office of Legislative Services to adopt the Florida Statutes 2004 and designate the portions thereof that are to constitute the official statutory law of the state. This adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law.

This bill substantially amends the following sections of the Florida Statutes: ss. 11.2421, 11.2422, 11.2424, and 11.2425.

II. Present Situation:

The adoption act is enacted annually during each regular session. It prospectively adopts as an official document the edition of the Florida Statutes to be published following that session and provides a 1-year curing period for any possible errors in statutory material before it becomes the best evidence of the law. Currently, all statutes material passed through the April 29-May 13, 2002, Special Session and printed in the 2003 edition has been adopted.

III. Effect of Proposed Changes:

The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law.

The 2004 adoption act adopts as the official statute law of the state those portions of the 2004 Florida Statutes edition that are carried forward unchanged from the edition published 1 year previously (2003). Portions carried forward from the 2003 edition are the official law of the state and, therefore, constitute the best evidence of the law. The portions resulting from sessions occurring subsequent to the publication of the 2003 edition are prima facie evidence of the law in all courts of the state; for this material, the enrolled acts stand as the best evidence of the law. Any “statute of a general and permanent nature” enacted before publication of the 2003 Florida Statutes that does not appear in the 2004 edition, or is not recognized and continued in force by reference therein or in s. 11.2423 or s. 11.2424, Florida Statutes, stands repealed, both by the logic of the system and by operation of s. 11.2422, Florida Statutes. *See National Bank v. Williams*, 28 Fla. 305, 20 So. 931 (1896).

The 2004 adoption act will adopt all statutes material passed through the August 12-13, 2003, Special Session and printed in the 2004 edition. Material passed in a session occurring since publication of the 2003 edition must wait 1 more year before being adopted, and the session law form of that material will remain the best evidence of the law for that material.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

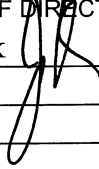
BILL: SB 1534

SPONSOR: Senator Lee

SUBJECT: Florida Statutes

DATE: February 11, 2004

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Pollitz (Stat. Rev.)	Kassack 	RC	
2.				
3.				
4.				
5.				
6.				

I. Summary:

The Division of Statutory Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; and delete obsolete, repealed, or superseded provisions. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills.

This is a general reviser's bill to delete expired or obsolete language; correct cross-references and grammatical or typographical errors; remove inconsistencies and redundancies from the statutes; improve the clarity of the statutes and facilitate their correct interpretation; and confirm the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process. A reviser's bill cannot be amended except to delete a bill section.

This bill substantially amends or repeals the following sections of the Florida Statutes: amends ss. 11.40, 28.2401, 101.049, 110.205, 112.061, 117.05, 121.021, 121.051, 163.01, 163.3167, 163.524, 192.0105, 206.02, 206.9825, 220.187, 265.285, 287.057, 288.1045, 288.31, 315.031, 316.1937, 320.02, 322.051, 322.08, 322.09, 322.18, 332.004, 341.301, 369.255, 370.01, 372.001, 373.0421, 373.45922, 381.06014, 391.029, 393.0657, 394.741, 394.9082, 394.917, 400.0075, 402.3057, 403.7192, 404.20, 409.017, 409.1671, 409.1757, 409.904, 409.9065, 409.908, 409.91196, 409.912, 409.9122, 414.095, 440.02, 440.102, 440.14, 440.15, 440.25, 440.33, 440.385, 440.45, 440.491, 440.515, 440.60, 443.1215, 455.2125, 456.028, 456.048, 456.051, 458.320, 458.347, 459.0085, 475.01, 475.278, 475.611, 475.6221, 487.046, 493.6106, 499.01, 499.0121, 499.0122, 499.015, 499.03, 499.05, 504.011, 504.014, 517.021, 538.18, 552.40, 565.02, 601.48, 607.1331, 607.1407, 624.123, 624.307, 624.430, 624.461, 624.462, 624.509,

626.175, 626.371, 626.731, 626.7315, 626.7351, 626.7355, 626.7845, 626.785, 626.8305, 626.831, 626.8414, 626.865, 626.866, 626.867, 626.874, 626.9916, 627.351, 627.733, 627.736, 627.832, 628.6012, 628.6013, 631.57, 631.60, 636.0145, 636.029, 636.052, 641.21, 641.225, 641.31, 641.386, 648.34, 648.355, 648.45, 651.013, 657.001, 657.002, 657.021, 657.026, 657.031, 657.039, 657.066, 657.068, 679.338, 679.520, 732.2025, 741.04, 766.102, 766.203, 766.206, 766.209, 787.03, 790.061, 817.566, 817.567, 895.02, 921.0022, 921.0024, 943.171, 985.203, 1003.52, 1007.27, 1009.29, 1011.60, 1012.56, 1013.74, and 1013.79; repeals s. 414.70.

II. Present Situation:

The Division of Statutory Revision, under the authority and requirements of s. 11.242, Florida Statutes, submits reviser's bills to the rules committees of both houses as needed. General reviser's bills to clean up obsolete language, update cross-references, and correct grammatical and typographical errors and the like are submitted every year.

III. Effect of Proposed Changes:

The effect of this bill is of a technical nature only; reviser's bills do not contain substantive changes. The bill will clean up grammatical and similar errors in the Florida Statutes.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

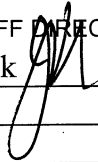
BILL: SB 1536

SPONSOR: Senator Lee

SUBJECT: Florida Statutes

DATE: February 11, 2004

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Pollitz (Stat. Rev.)	Kassack 	RC	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The Division of Statutory Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; and delete obsolete, repealed, or superseded provisions. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills. A reviser's bill cannot be amended except to delete a bill section.

This bill deletes statutes provisions that have been repealed by a noncurrent (past-year) session of the Legislature where that repeal or expiration date has now occurred, rendering the provision of no effect (an example would be a repeal set for October 1, 2003, by the 2002 Regular Session of the Legislature).

This bill substantially repeals the following sections of the Florida Statutes: ss. 110.116(2), 197.1722, 215.555(16), 261.06(12), 288.063(11), 338.2216(5), 372.60, 375.041(6), 401.113(4), 403.1838(4), 403.7095(7), 409.1671(1)(m), 440.185(11), 468.805, 489.118(2)(b), 553.8412, and 1010.78(2).

II. Present Situation:

The Division of Statutory Revision, under the authority and requirements of s. 11.242(5)(b) and (i), Florida Statutes, must remove repealed statutory provisions from the statutes text where the repeal was voted by the Legislature sitting in the current year; sections effectively repealed but where that repeal was passed by a past-year session of the Legislature can only be omitted from the statutes text through a reviser's bill pursuant to s. 11.242(5)(i).

III. Effect of Proposed Changes:

This bill will delete sections that have already been repealed by the Legislature by substantive legislation that the Division of Statutory Revision could not remove from the statutes text without the required inclusion in a reviser's bill.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

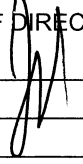
BILL: SB 1538

SPONSOR: Senator Lee

SUBJECT: Florida Statutes

DATE: February 11, 2004

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Pollitz (Stat. Rev.)	Kassack 	RC	
2.				
3.				
4.				
5.				
6.				

I. Summary:

The Division of Statutory Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; and delete obsolete, repealed, or superseded provisions. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills. Responses to directives from the Legislature to make specific changes in the statutes, such as renaming a department, are also submitted to the Legislature via reviser's bills.

The Division of Statutory Revision was directed by the Legislature, in s. 1, ch. 93-199, Laws of Florida, to remove gender-specific references applicable to human beings from the Florida Statutes through reviser's bills to be submitted by January 1, 1997. This reviser's bill would remove gender-specific references that have been added subsequently. A reviser's bill cannot be amended except to delete a bill section.

This bill substantially amends the following sections of the Florida Statutes: ss. 627.6515 and 766.1015.

II. Present Situation:

The Legislature, in s. 1, ch. 93-199, Laws of Florida, directed the Division to submit, by January 1, 1997, reviser's bills to remove gender-specific references applicable to human beings from the Florida Statutes. These bills became law as chs. 95-147, 95-148, 97-96, 97-102, and 97-103, Laws of Florida. Chapters 99-7, 2000-159, 2001-66, 2002-4, and 2003-3, Laws of Florida, removed gender-specific references added since 1997. Additional gender-specific references have been added to the statutes since the enactment of ch. 2003-3.

III. Effect of Proposed Changes:

This bill revises Florida Statutes text to conform to the directive in ch. 93-199, Laws of Florida, to remove gender-specific references to human beings in the Florida Statutes added since the enactment of ch. 2003-3, Laws of Florida.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
